RFStd$_i$ = The renewable fuel standard for calendar year i, determined by EPA pursuant to §80.1105, in percent.

GV$_i$ = The non-renewable gasoline volume, determined in accordance with paragraphs (b), (c), and (d) of this section, which is produced or imported by the obligated party in calendar year i, in gallons.

D$_{i−1}$ = Renewable fuel deficit carryover from the previous year, per §80.1127(b), in gallons.

(b) The non-renewable gasoline volume for a refiner, blender, or importer for a given year, GV$_i$, specified in paragraph (a) of this section is calculated as follows:

$$GV_i = \sum_{x=1}^{n} G_x - \sum_{y=1}^{m} RB_y$$

Where:

x = Individual batch of gasoline produced or imported in calendar year i.

n = Total number of batches of gasoline produced or imported in calendar year i.

G$_x$ = Volume of batch x of gasoline produced or imported, in gallons.

y = Individual batch of renewable fuel blended into gasoline in calendar year i.

m = Total number of batches of renewable fuel blended into gasoline in calendar year i.

RB$_y$ = Volume of batch y of renewable fuel blended into gasoline, in gallons.

(c) All of the following products that are produced or imported during a compliance period, collectively called ''gasoline'' for the purposes of this section (unless otherwise specified), are to be included in the volume used to calculate a party's renewable volume obligation under paragraph (a) of this section, except as provided in paragraph (d) of this section:

(1) Reformulated gasoline, whether or not renewable fuel is later added to it.

(2) Conventional gasoline, whether or not renewable fuel is later added to it.

(3) Reformulated gasoline blendstock that becomes finished reformulated gasoline upon the addition of oxygenate (''RBOB'').

(4) Conventional gasoline blendstock that becomes finished conventional gasoline upon the addition of oxygenate (''CBOB'').

(5) Blendstock (including butane and gasoline treated as blendstock (''GTAB'')) that has been combined with other blendstock and/or finished gasoline to produce gasoline.

(6) Any gasoline, or any unfinished gasoline that becomes finished gasoline upon the addition of oxygenate, that is produced or imported to comply with a state or local fuels program.

(d) The following products are not included in the volume of gasoline produced or imported used to calculate a party's renewable volume obligation under paragraph (a) of this section:

(1) Any renewable fuel as defined in §80.1101(d).

(2) Blendstock that has not been combined with other blendstock or finished gasoline to produce gasoline.

(3) Gasoline produced or imported for use in Alaska, Hawaii, the Commonwealth of Puerto Rico, the U.S. Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Marianas, unless the area has opted into the RFS program under §80.1143.

(4) Gasoline produced by a small refinery that has an exemption under §80.1141 or an approved small refiner that has an exemption under §80.1142 until January 1, 2011 (or later, for small refineries, if their exemption is extended pursuant to §80.1141(e)).

(5) Gasoline exported for use outside the 48 United States, and gasoline exported for use outside Alaska, Hawaii, the Commonwealth of Puerto Rico, the U.S. Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Marianas, if the area has opted into the RFS program under §80.1143.

(6) For blenders, the volume of finished gasoline, RBOB, or CBOB to which a blender adds blendstocks.

(7) The gasoline portion of transmix produced by a transmix processor, or the transmix blended into gasoline by a transmix blender, under 40 CFR 80.84.

[72 FR 23993, May 1, 2007]

EFFECTIVE DATE NOTE: At 72 FR 23993, May 1, 2007, §80.1107 was added, effective Sept. 1, 2007.

§§ 80.1108–80.1114 [Reserved]

§ 80.1115 How are equivalence values assigned to renewable fuel?

(a)(1) Each gallon of a renewable fuel shall be assigned an equivalence value by the producer or importer pursuant to paragraph (b) or (c) of this section.

(2) The equivalence value is a number that is used to determine how many gallon-RINs can be generated for a batch of renewable fuel according to § 80.1126.

(b) Equivalence values shall be assigned for certain renewable fuels as follows:

(1) Cellulosic biomass ethanol and waste derived ethanol produced on or before December 31, 2012 which is denatured shall have an equivalence value of 2.5.

(2) Ethanol other than cellulosic biomass ethanol or waste-derived ethanol which is denatured shall have an equivalence value of 1.0.

(3) Biodiesel (mono-alkyl ester) shall have an equivalence value of 1.5.

(4) Butanol shall have an equivalence value of 1.3.

(5) Non-ester renewable diesel, including that produced from coprocessing a renewable crude with fossil fuels in a hydrotreater, shall have an equivalence value of 1.7.

(6) All other renewable crude-based renewable fuels shall have an equivalence value of 1.0.

(c)(1) For renewable fuels not listed in paragraph (b) of this section, a producer or importer shall submit an application to the Agency for an equivalence value following the provisions of paragraph (d) of this section.

(2) A producer or importer may also submit an application for an alternative equivalence value pursuant to paragraph (d) of this section if the renewable fuel is listed in paragraph (b) of this section, but the producer or importer has reason to believe that a different equivalence value than that listed in paragraph (b) of this section is warranted.

(d) *Determination of equivalence values.* (1) Except as provided in paragraph (d)(4) of this section, the equivalence value for renewable fuels described in paragraph (c) of this section shall be calculated using the following formula:

$$EV = (R / 0.931) * (EC / 77,550)$$

Where:

EV = Equivalence Value for the renewable fuel, rounded to the nearest tenth.
R = Renewable content of the renewable fuel. This is a measure of the portion of a renewable fuel that came from a renewable

source, expressed as a percent, on an energy basis.
EC = Energy content of the renewable fuel, in Btu per gallon (lower heating value).

(2) The application for an equivalence value shall include a technical justification that includes a description of the renewable fuel, feedstock(s) used to make it, and the production process.

(3) The Agency will review the technical justification and assign an appropriate Equivalence Value to the renewable fuel based on the procedure in this paragraph (d).

(4) For biogas, the Equivalence Value is 1.0, and 77,550 Btu of biogas is equivalent to 1 gallon of renewable fuel.

[72 FR 23995, May 1, 2007]

EFFECTIVE DATE NOTE: At 72 FR 23995, May 1, 2007, § 80.1115 was added, effective Sept. 1, 2007.

§§ 80.1116–80.1124 [Reserved]

§ 80.1125 Renewable Identification Numbers (RINs).

Each RIN is a 38 character numeric code of the following form:
KYYYYCCCCFFFFFBBBBBRRDSS SSSSSSEEEEEEEE

(a) K is a number identifying the type of RIN as follows:

(1) K has the value of 1 when the RIN is assigned to a volume of renewable fuel pursuant to §§ 80.1126(e) and 80.1128(a).

(2) K has the value of 2 when the RIN has been separated from a volume of renewable fuel pursuant to § 80.1126(e)(4) or § 80.1129.

(b) YYYY is the calendar year in which the batch of renewable fuel was produced or imported. YYYY also represents the year in which the RIN was originally generated.

(c) CCCC is the registration number assigned according to § 80.1150 to the producer or importer of the batch of renewable fuel.

(d) FFFFF is the registration number assigned according to § 80.1150 to the facility at which the batch of renewable fuel was produced or imported.

(e) BBBBB is a serial number assigned to the batch which is chosen by the producer or importer of the batch such that no two batches have the same value in a given calendar year.